

REMARKS

Claims 23-49, 51-59, 61, 62, and 64 are present in this application. Claims 50, 60, and 63 have been canceled. Claims 23, 24, 38, 39, 49, 51, 53, 55, and 56 are independent.

I. Objection to the Specification

The specification has been objected to because page 3, lines 1-2 refer to subject matter of canceled claims. Applicant respectfully traverses this objection. In particular, Applicant does not wish to remove subject matter from the specification as originally filed.

II. Claim Objection

Claims 36, 43, 57, 61, and 64 have been objected to as being of improper dependent form. Applicant has amended claims 36, 43, 57, 61, and 64. Accordingly, Applicant requests that the objection be reconsidered and withdrawn.

III. Claim Rejection – 35 USC 112

Claim 52 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicant has amended claim 52. Accordingly, Applicant requests that the rejection be reconsidered and withdrawn.

IV. Allowable Subject Matter

Claims 23, 25-35, 37, 40-42, 44, and 46 have been allowed.

Claims 36 and 43 have been indicated as being allowable if amended to overcome the claim objection.

Claims 49-51, 53, 55, 56, 58, 60, and 63 are objected to as being dependent upon a rejected base claim, but are otherwise allowable.

Claim 52 would be allowable if amended to overcome the rejection under 35 U.S.C. 112, second paragraph.

Claim Rejections – 35 USC 102(b) and 35 USC 103(a)

Claims 38, 39, 59, 61, 62, and 64 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,062,715 (Nakata). It is noted that these claims depend from claim 24, which has not been rejected under 35 U.S.C. 102(b) and was not included in the rejection.

This rejection is improper. In such case, Applicant presumes for the sake of argument that the rejection is one of obviousness under 35 U.S.C. 103(a) based on the combination of references relied on for the rejection of claim 24.

Claims 24, 47, 48, 54, and 57 have been rejected under 35 U.S.C. 103(a) as being unpatentable over WO 98/44375 (Scherubl) and U.S. Patent 4,512,659 (Galbraith). In addition, it has been verified that claim 45 should also be included in this rejection.

Claims have been amended based on the indication of allowable subject matter.

Claim 24 has been amended to incorporate the subject matter of allowable claim 50.

Claims 38, 39, 49, 51, 53, 55, and 56 have been rewritten into independent form to include the subject matter of the respective independent claim 24. In addition, claims 38 and 38 have been amended to incorporate the subject matter of allowable claims 60 and 63, respectively. Thus, claims 38, 39, 49, 51, 53, 55, and 56 have been re-written into allowable form.

As all independent claims, as amended, are directed to allowable subject matter, Applicant requests that the rejections under 35 U.S.C. 102 and 103 be reconsidered and withdrawn.

CONCLUSION

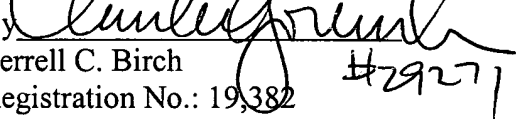
If the Examiner has any questions concerning this application, the Examiner is requested to contact Robert W. Downs, Reg. No. 48,222 at the telephone number of (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: August 10, 2005

Respectfully submitted,

RWD

By 
Terrell C. Birch #29271
Registration No.: 19,382
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant